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July 20, 2007

Hon. Richard M. Berman
United States District Court Judge
Eastern District of New York
500 Pearl Street
New York, New York 10007

Re: Foundling Hospital v. Riverbay Corporation
Docket No. 07-2846 (Berman, J.) (Katz, M.J.)
Conference Date: 7/23/07

Dear Judge Berman:

As you know, we represent the plaintiff in this action. This letter is written with the consent of Gerald Kahn, Esq., counsel for the defendant.

We met with Magistrate Judge Katz again yesterday in an effort to settle this matter. We are making good progress towards disposing of the issues in this case. This requires the cooperation of the New York State Office of Mental Retardation and Developmental Disabilities, which has been very helpful to date. It also involves cooperation of the other not-for-profit agencies at Co-Op City, which are not parties to this action.

Based on the above, Magistrate Judge Katz is scheduling another conference for the third week of September. Both parties respectfully request an adjournment of next Monday's conference until after the next conference with Magistrate Judge Katz. It is anticipated that we will know at that time whether and when this case can definitely be settled. Magistrate Judge Katz had no objection to the adjournment of next Monday's conference.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert L. Schonfeld', written over the word 'Sincerely,'.
Robert L. Schonfeld